

Message Text

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PAGE 01 GENEVA 06760 250951Z

22

ACTION ACDA-10

INFO OCT-01 ARA-06 EUR-12 EA-07 IO-13 ISO-00 AF-08 CIAE-00

DODE-00 PM-04 H-02 INR-07 L-03 NASA-01 NEA-10 NSAE-00

NSC-05 OIC-02 SP-02 PA-01 PRS-01 OES-06 SS-15 SAJ-01

NSCE-00 SSO-00 USIE-00 INRE-00 /117 W

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O R 250847Z AUG 76

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 2032

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MEXICO

AMEMBASSY MOSCOW

AMEMBASSY THE HAGUE

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

USMISSION USUN NY

USMISSION NATO

ERDA HQ WASHDC

ERDA GERMANTOWN

NOAA ROCKVILLE, MD

C O N F I D E N T I A L GENEVA 6760

DISTO

E.O. 11652: GDS

TAGS: PARM, CCD, MX

SUBJ: CCD - MEETING WITH MEXICAN FOREIGN MINISTER ON ENMOD TREATY

REF: GENEVA 6686

1. SUMMARY: IN MEETING WITH US CCD REP (MARTIN) MORNING
OF AUG 24, MEXICAN FONMIN GRACIA ROBLES INDICATED

CONFIDENTIAL

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PAGE 02 GENEVA 06760 250951Z

WILLINGNESS TO WORK OUT COMPROMISE FORMULATION OF ENMOD

TREATY ARTICLE I SO AS TO PRESERVE THRESHOLD EXPRESSED BY TERMS "WIDESPREAD, LONG-LASTING OR SEVERE", AND ARTICLE III ACCOMMODATING BOTH MEXICAN AND US PRINCIPLES ON INTERNATIONAL COOPERATION IN ENVIRONMENTAL MATTERS. LATER IN DAY, HOWEVER, GRACIA ROBLES INFORMED MARTIN THAT HE HAD DECIDED THAT THRESHOLD TREATY WOULD BE UNACCEPTABLE AND THAT HE WAS NOT PREPARED TO DISCUSS COMPROMISE FORMULATIONS. END SUMMARY.

2. AT REQUEST OF US DEL, MARTIN AND GRACIA ROBLES MET MORNING OF AUG 24 TO DISCUSS ENMOD NEGOTIATIONS. MARTIN NOTED THAT TWO PRINCIPAL REMAINING ISSUES, ARTICLE I AND ARTICLE III, INVOLVE DIFFERENCES OF VIEW BETWEEN MEXICAN AND US DELS. BEGINNING WITH ART III, MARTIN NOTED US RELUCTANCE TO ACCEPT AFFIRMATIVE OBLIGATION REGARDING INTERNATIONAL COOPERATION IN ENVIRONMENTAL MATTERS AS EMBODIED IN MEXICAN PROPOSAL FOR PARA 2 OF THAT ARTICLE. HE RECAPITULATED US VIEW THAT ENMOD TECHNOLOGY WAS TOO PRIMITIVE AND UNPROVEN TO WARRANT COMMITMENT TO SUCH COOPERATION BEYOND THAT CONTAINED IN US PROPOSAL ON INFORMATION EXCHANGE. MARTIN ADDED THAT THERE WAS A DISTINCTION IN THIS REGARD BETWEEN ENMOD AND NUCLEAR TECHNOLOGY, AND THAT ACCORDINGLY THE ANALOGY TO THE NPT SUGGESTED BY THE MEXICAN PROPOSAL WAS NOT VALID. HE NOTED THAT INDIA HAD PUT FORWARD COMPROMISE PROPOSAL FOR PARA 2 WHICH HE SUGGESTED MIGHT OFFER BASIS FOR COMPROMISE, ESPECIALLY IF ARTICLE I ISSUES COULD BE SATISFACTORILY RESOLVED.

3. GARCIA ROBLES SAID MEXICAN PROPOSAL REFLECTED PRINCIPLES IMPORTANT TO MEXICO REGARDING DEVELOPING COUNTRIES' RIGHT OF ACCESS TO BENEFITS OF EMERGING NEW TECHNOLOGIES. HE CONTINUED, HOWEVER, THAT IF MEXICAN PROPOSAL CONTAINED CERTAIN ELEMENTS THAT WERE INCOMPATIBLE WITH US PRINCIPLES, HE WOULD EXAMINE INDIAN COMPROMISE PROPOSAL FOR PARA 2 AND ATTEMPT TO WORK OUT ON THAT BASIS A FORMULATION ACCEPTABLE BOTH TO MEXICO AND US.

4. TURNING TO ART I, MARTIN EMPHASIZED THE IMPORTANCE WE ATTACHED TO THE THRESHOLD CONCEPT AND TO THE TERMS "WIDESPREAD, CONFIDENTIAL

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PAGE 03 GENEVA 06760 250951Z

LONG-LASTING OR SEVERE" USED TO EXPRESS IT. HE RECOGNIZED THAT SOME DELS WANTED A COMPREHENSIVE BAN, BUT ARGUED THAT CURRENT FORMULATION WOULD ADEQUATELY PROTECT STATES FROM SERIOUS DANGERS THAT MIGHT MATERIALIZE FROM THE DEVELOPMENT OF ENMOD TECHNIQUES. HE CALLED ON MEXICO TO GO ALONG WITH PRESENT SCOPE OF TREATY AND NOTED THAT, IF TREATY DID NOT PROVE ADEQUATE, TREATY PARTIES COULD RAISE ISSUE OF SCOPE AT REVIEW CONFERENCES. MARTIN ADDED THAT, WHILE US DEL DID

NOT HAVE AUTHORIZATION TO ACCEPT INDIAN COMPROMISE PROPOSALS ON PREAMBLE AND ARTICLE I (PARA 5 REFTEL) AND HAD SOME PROBLEMS WITH THOSE PROPOSALS, HE WAS PERSONALLY PREPARED TO TAKE INDIAN IDEAS AS STARTING POINT FOR FURTHER EFFORTS TO REACH COMPROMISE THAT COULD BE REPORTED TO GOVERNMENTS.

5. GARCIA ROBLES SAID IT WAS IMPORTANT TO CONSIDER HOW SUCH A THRESHOLD TREATY WOULD BE PERCEIVED BY OTHER GOVTS AND PUBLIC OPINION. IN HIS VIEW, THRESHOLD WOULD BE SEEN AS SANCTIONING THE USE OF TECHNIQUES THAT COULD CAUSE A VERY LARGE DEGREE OF DESTRUCTION, " TO AN AREA, FOR EXAMPLE, AS LARGE AS EL SALVADOR." HIS DEL DID NOT REGARD THE INTERPRETATIONS OF THE TERMS "WIDESPREAD, LONG-LASTING OR SEVERE" AS RESTRICTIVE. IF, HOWEVER, THE THREE CRITERIA WERE INDISPENSIBLE FOR THE US GOVT, PERHAPS A COMPROMISE SOLUTION COULD BE FOUND INVOLVING THE RETENTION OF PRESENT ARTICLE I LANGUAGE.

6. GARCIA ROBLES SUGGESTED THAT SUCH A COMPROMISE MIGHT BE BASED ON THE INDIAN PROPOSALS AND THE INSERTION IN THE TEXT OF A PROVISION FOR WITHDRAWAL FROM THE CONVENTION. UNDER SUCH A PROVISION, THE RIGHT OF WITHDRAWAL WOULD NOT BE BASED, AS IN MOST ARMS CONTROL TREATIES, ON THE DETERMINATION BY STATES PARTIES THAT THEIR SUPREME NATIONAL INTERESTS WERE JEOPARDIZED. INSTEAD, PARTIES WOULD BE GIVEN THE RIGHT TO WITHDRAW IF, DESPITE THE FINDING OF A REVCON THAT THE SCOPE OF THE TREATY WAS INADEQUATE, STEPS WERE NOT TAKEN TO CORRECT THE INADEQUACY. GARCIA ROBLES SAID THAT HE DID NOT HAVE A PRECISE FORMULATION IN MIND BUT WOULD CONTACT US DEL LATER TO PROVIDE DRAFTS OF BOTH A DWITHDRAWAL PROVISION AND A COMPROMISE FORMULATION ON ART III.

7. AN HOUR LATER, GARCIA ROBLES PHONED MARTIN TO SAY HE
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PAGE 04 GENEVA 06760 250951Z

HAD RECONSIDERED THE MATTER AFTER REVIEWING THE SPANISH TEXT OF THE DRAFT TREATY. A CAREFUL READING OF THE SPANISH VERSION HE SAID, GAVE HIM THE IMPRESSION THAT THE FORMULATION IN ART I WAS TOO PERMISSIVE. IT WOULD BE SEEN AS LEGITIMIZING HOSTILE USE OF ENMOD BELOW THE THRESHOLD. HE THEREFORE REGRETTEED THAT MEXICO COULD NOT ACCEPT ART I AND INDICATED THAT HE SAW NO NEED TO TRY TO ACHIEVE COMPROMISE FORMULATIONS ALONG THE LINES SUGGESTED EARLIER. HE SAID THAT MEXICO WOULD NOT BLOCK A CONSENSUS ON TRANSMITTING A COMPLETED TEXT TO THE UNGA BUT WOULD RESERVE THE RIGHT TO OPPOSE THE DRAFT IN NEW YORK.

8. COMMENT: US DEL CURRENTLY HAS NO EXPLANATION FOR GARCIA ROBLES' SUDDEN REVERSAL. HE APPARENTLY CAME TO THE MEETING WITH LITTLE PRIOR KNOWLEDGE OF THE PRESENT

NEGOTIATING SITUATION AND WITHOUT FIXED VIEWS ON UNRESOLVED
ISSUES. HE MAY HAVE BEEN SWAYED SUBSEQUENTLY BY HIS STAFF,
WHICH HAS OPPOSED THE THRESHOLD CONCEPT, AND BY THE YUGOSLAV
REP, WHOM GARCIA ROBLES MET IMMEDIATELY AFTER HIS CONVERSATION
WITH MARTIN.

9. REPORT OF WORKING GROUP MEETING AFT OF AUG 24 SENT
SEPTTEL. CATTO

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, DISARMAMENT, ENMOD, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: BoyleJA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760324-0437
From: GENEVA
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1976/newtext/t19760822/aaaaaspw.tel
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Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

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Review Withdrawn Fields: n/a
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Type: TE
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